

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

THE HONORABLE DALE S. FISCHER, JUDGE PRESIDING

United States of America,)

Plaintiff,)

)

vs.)

Case No. CR 05-316-DSF

)

Victor H. Preston,)

Defendant.)

)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Los Angeles, California

Monday, December 7, 2009

Pamela A. Batalo, CSR, FCRR, RMR
Official Reporter
Roybal Federal Building
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1 Los Angeles, California, Monday, December 7, 2009

2 2:58 p.m.

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4 THE CLERK: Calling CR 05-316-DSF, *United States of*
5 *America vs. Victor H. Preston.*

6 MR. GREENBERG: I am so sorry. I am Stanley Greenberg
7 on behalf of Mr. Preston. He just went on a mission he could
8 not delegate down the hall. I apologize, your Honor. We didn't
9 think you would be out quite so quickly.

10 THE COURT: That's all right. I try to be responsive.

11 MR. GREENBERG: I know. I'm sorry. I apologize for
12 being late. I was in another court.

13 THE COURT: Well, you can't help that. That's how it
14 works.

15 MS. QUATTRUCCI: And Ellen Quattrucci and Lori
16 Hendrickson on behalf of the United States.

17 THE COURT: Let me take a minute to look at your
18 document here.

19 MR. GREENBERG: Mr. Preston just reentered the room,
20 your Honor. Thank you for your patience.

21 THE COURT: Good afternoon, Mr. Preston.

22 THE DEFENDANT: Good afternoon, your Honor.

23 THE COURT: All right. Let's make sure I understand
24 exactly what's happening because the placement of the phrase
25 *no later than January 31, 2010*, is a little bit confusing. Is

1 that the date by which the government is going to identify the
2 investors?

3 MS. QUATTRUCCI: Yes, your Honor.

4 THE COURT: Not the date by which the restitution is
5 going to be paid?

6 MS. QUATTRUCCI: That is correct, your Honor.

7 THE COURT: Okay. You're leaving it for --

8 MR. GREENBERG: One second, please.

9 (Counsel confer off the record)

10 MR. GREENBERG: Thank you.

11 THE COURT: All right. And you're leaving it for
12 later determination, and you're going to file a status report by
13 January 31st in which you're going to advise me of your
14 agreement or recommendations as to the plan for making these
15 payments?

16 MR. GREENBERG: That's right.

17 THE COURT: All right. Anything else I need to know?

18 MS. QUATTRUCCI: Nothing from the government,
19 your Honor.

20 MR. GREENBERG: No.

21 THE COURT: All right.

22 MR. GREENBERG: I'm sorry. We intended to file this
23 sooner, and I think we had a misunderstanding. Sorry.

24 THE COURT: That's all right. Was this drafted by the
25 government?

1 MS. QUATTRUCCI: Yes, your Honor.

2 THE COURT: My title is *United States District Judge*.

3 MS. QUATTRUCCI: Yes, your Honor. I apologize if it
4 says anything different than that.

5 THE COURT: It says *District Court Judge*, but that
6 puts you probably in the majority of the people.

7 MS. QUATTRUCCI: We will not make that mistake again.

8 THE COURT: Okay. Presumably this needs to be
9 e-mailed to the chambers e-mail so Ms. Plato can affix my
10 electronic signature, but I'm signing the version I have to
11 approve it.

12 Anything else that we need to do today?

13 MR. GREENBERG: Not today. Thank you for your
14 patience.

15 MS. QUATTRUCCI: Nothing else, your Honor.

16 THE COURT: All right. Thank you.

17 (Proceedings adjourned at 3:01 p.m.)
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1 CERTIFICATE OF OFFICIAL REPORTER

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3 COUNTY OF LOS ANGELES)
4 STATE OF CALIFORNIA)

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7 I, Pamela A. Batalo, Federal Official Realtime Court
8 Reporter, Registered Professional Reporter, in and for the
9 United States District Court for the Central District of
10 California, do hereby certify that pursuant to Section 753,
11 Title 18, United States Code, that the foregoing is a true and
12 correct transcript of the stenographically reported proceedings
13 held in the above-entitled matter and that the transcript page
14 format is in conformance with the regulations of the Judicial
15 Conference of the United States.

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17 Date: May 16. 2012
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19

20 /s/ Pamela A. Batalo
21 Pamela A. Batalo, CSR No. 3593, FCRR, RMR
22 Federal Official Court Reporter
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